AF

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March 16, 2009
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David M. Lockman
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Signature

March 16, 2009
Date of Signature

Re: Application of: Osman Ahmed
        Serial No.:   10/668,949
        Filed: September 23, 2003
        For: System and Method for Developing and
                             Processing Building System Control
                             Solutions
        Group Art Unit: 2168
        Confirmation No.:   3299
        Examiner: Pham, Hung Q.
        Our Docket No.:   1867-0008

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
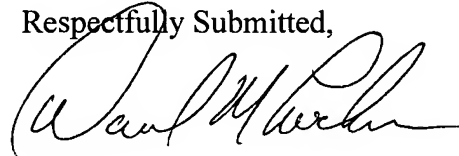BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from

the decision set forth in the Official Action mailed November 14, 2008, in which the

Examiner finally rejected claims 1-28.

In compliance with MPEP 1204.01, we ask that the Commissioner apply the previously paid appeal fee to the Second Notice of Appeal herewith, as no final Board decision has been made in the Appeal filed December 22, 2006. Therefore, please find the enclosed check in the amount of $40.00 to make up the difference in fees from the previous Appeal Brief filed to the current Notice of Appeal. Please charge any deficiency, or credit any overpayment to Deposit Account No. 13-0014.

Respectfully Submitted,

David M. Lockman
Attorney for Applicants
Registration No. 34,214

March 16, 2009
Maginot, Moore & Beck LLP
Chase Tower
111 Monument Circle, Suite 3250
Indianapolis, IN 46204-5109
(317) 638-2922 telephone
(317) 638-2139 facsimile